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October 19, 2012

Cynthia T. Brown
Chief of the Section of Administration, Office of Proceedings
Surface Transportation Board
395 E Street, S.W.
Washington, D.C. 20423

233227

RECEIVED

OCT 19 2012

**SURFACE
TRANSPORTATION BOARD**

Re: **Docket No. AB-55 (Sub-No. 722X), CSX Transportation, Inc.—
Discontinuance of Service Exemption—in Oak Ridge, Anderson County, TN**

Dear Ms. Brown,

Enclosed are the original and 10 copies of a Verified Notice of Exemption for CSX Transportation, Inc. ("CSXT") to discontinue service over an approximately 4.85-mile rail line on its Southern Region, Huntington Division, KD Subdivision, between milepost 0AE 251.15 at the connection with CSXT's main line and milepost 0AE 256.0 at the end of track, in Oak Ridge, Anderson County, TN. Also enclosed are a check for the filing fee of \$3,700, and a computer diskette containing the Notice in WORD and pdf format.

Please time and date stamp the additional copy of this letter and Notice and return it in the enclosed prepaid envelope.

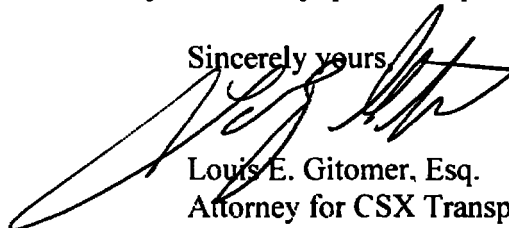
Thank you for your assistance. If you have any questions, please contact me.

ENTERED
Office of Proceedings

OCT 19 2012

Part of
Public Record

Sincerely yours,



Louis E. Gitomer, Esq.
Attorney for CSX Transportation, Inc.

Enclosure

FILED

OCT 19 2012

**SURFACE
TRANSPORTATION BOARD**

BEFORE THE
SURFACE TRANSPORTATION BOARD

Docket No. AB-55 (Sub-No. 722X)

CSX TRANSPORTATION, INC.—DISCONTINUANCE OF SERVICE EXEMPTION—
IN OAK RIDGE, ANDERSON COUNTY, TN

VERIFIED NOTICE OF EXEMPTION

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FEE RECEIVED
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SURFACE
TRANSPORTATION BOARD

ENTERED
Office of Proceedings
OCT 19 2012
Part of
Public Record

Steven C. Armbrust, Esq.
CSX Transportation, Inc.
500 Water Street
Jacksonville, FL 32202
(904) 359-1229

Louis E. Gitomer, Esq.
Melanie B. Yasbin, Esq.
Law Offices of Louis E. Gitomer, LLC
600 Baltimore Avenue, Suite 301
Towson, MD 21204
(410) 296-2250
Lou@lgrailaw.com

Attorneys for: CSX TRANSPORTATION.
INC.

Dated: October 19, 2012

FILED

OCT 19 2012

**SURFACE
TRANSPORTATION BOARD**



BEFORE THE
SURFACE TRANSPORTATION BOARD

Docket No. AB-55 (Sub-No. 722X)

CSX TRANSPORTATION, INC.– DISCONTINUANCE OF SERVICE EXEMPTION–
IN OAK RIDGE, ANDERSON COUNTY, TN

VERIFIED NOTICE OF EXEMPTION

CSX Transportation, Inc. (“CSXT”) files this Verified Notice of Exemption pursuant to the class exemption at 49 C.F.R. § 1152.50 for CSXT to discontinue service over an approximately 4.85-mile rail line on its Southern Region, Huntington Division, KD Subdivision. between milepost OAE 251.15 at the connection with CSXT’s main line and milepost OAE 256.0 at the end of track, in Oak Ridge, Anderson County, TN (the “Line”). No local rail traffic has moved over the Line during the past two years. Any overhead traffic on the Line can be and has been rerouted.

Based on information in the possession of CSXT, the Line does not contain federally granted rights-of-way. Any documentation in the railroad’s possession will be made available promptly to those requesting it.

1. Proposed consummation date. The proposed consummation date is December 8, 2012.
2. Certification required by 49 C.F.R. § 1152.50(b). *See* Exhibit A.
3. Information required by 49 C.F.R. § 1152.22(a)(1) through (4), (7), and (8), and (e)(4).

(a) General.

(1) Exact name of applicant. CSX Transportation, Inc.

(2) Whether applicant is a common carrier by railroad subject to 49 U.S.C.

Subtitle IV, Chapter 105. CSXT is a common carrier by railroad subject to 49 U.S.C. Subtitle IV, Chapter 105.

(3) Relief sought. CSXT seeks to use the class exemption at 49 C.F.R. § 1152.50 to discontinue service over an approximately 4.85-mile rail line on its Southern Region, Huntington Division, KD Subdivision, between milepost OAE 251.15 at the connection with CSXT's main line and milepost OAE 256.0 at the end of track, in Oak Ridge, Anderson County, TN. The Oak Ridge station is at milepost 00C 251, FSAC 45651, OPSL 17750.

(4) Map. See Exhibit B.

(7) Name, title, and address of representative of applicant to whom correspondence should be sent. Louis E. Gitomer, Law Offices of Louis E. Gitomer, LLC, 600 Baltimore Avenue, Suite 301, Towson, MD 21204, (410) 296-2250, Lou@lgraillaw.com.

(8) List of all United States Postal Service ZIP Codes that the line proposed for discontinuance traverses. The Line traverses U.S. Postal ZIP Code 37830.

(e) Rural and community impact.

(4) Statement of whether the properties proposed to be discontinued are appropriate for use for other public purposes, including roads and highways, other forms of mass transportation, conservation, energy production or transmission, or recreation. If the applicant is aware of any restriction on the title to the property, including any reversionary interest, which would affect the transfer of title or the use of property for other than rail purposes, this shall be disclosed.

CSXT is discontinuing service over the Line because the Oak Ridge atomic facilities have been decommissioned, demolished, or re-classified. Since service on the Line is being discontinued and not abandoned, public use is not applicable and CSXT does not have any plans at this time to dispose of the property.

CSXT is proposing to discontinue service on the Line in cooperation with the City of Oak Ridge. The Line has been inactive. In order to alleviate traffic congestion at highway-rail grade crossings, CSXT has agreed to discontinue service and allow the at-grade crossing to be paved over. Since CSXT is retaining the Line for future reactivation if demand for rail service resumes, the Line is not available for public purposes. *Central Illinois Railroad Company—Discontinuance of Service Exemption—in Cook County, Ill.*, Docket No. AB 1066 (Sub-No. 2X) (STB served November 16, 2010) at 3.


4. The level of labor protection. The interests of any railroad employees who may be adversely affected by the proposed discontinuance of service will be adequately protected by the labor protective conditions in *Oregon Short Line R. Co. –Abandonment–Goshen*, 360 I.C.C. 91 (1979).

5. Certification. Certificates of compliance with the notice requirements of 49 C.F.R. §§ 1152.50(d)(1) and 1105.11 are attached as Exhibit C.

6. Environmental Report. CSXT is not salvaging the track and materials on the Line. It is merely removing the rail from grade crossings to allow the City of Oak Ridge to pave over the crossings. Because the Line has not been used in several years, there will be no diversion of traffic from rail to truck. Therefore, CSXT does not have to prepare or file an Environmental Report. 49 C.F.R. 1105.6(c)(2).

7. Historic Report. CSXT is discontinuing service over the Line. It is not salvaging the track and materials on the Line. There will be no impact on historic properties. Therefore, CSXT does not have to prepare or file an Historic Report. 49 C.F.R. 1105.8(a).

Respectfully submitted,



Steven C. Armbrust, Esq.
CSX Transportation, Inc.
500 Water Street
Jacksonville, FL 32202
(904) 359-1229

Louis E. Gitomer, Esq.
Melanie B. Yasbin, Esq.
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600 Baltimore Avenue, Suite 301
Towson, MD 21204
(410) 296-2250
Lou@lgraillaw.com

Attorneys for: CSX TRANSPORTATION,
INC.

Dated: October 19, 2012

EXHIBIT A-VERIFICATION AND CERTIFICATION

STATE OF FLORIDA)
)
) ss.
COUNTY OF DUVAL)

I hereby certify that no freight traffic has moved over CSXT's 4.85-mile rail line on its Southern Region, Huntington Division, KD Subdivision from Railroad Milepost 0AE 251.15 to Railroad Milepost 0AE 256.0 near Oak Ridge, Anderson County, Tennessee, for at least two years prior to the date hereof. Since this line has not generated any originating, terminating or overhead freight traffic in over two (2) years; therefore, none needs to be rerouted over other lines. Further, no formal complaint filed by a user of rail service on the line (or a State or local government entity acting on behalf of such user) regarding cessation of service over the line either is pending with the Surface Transportation Board or any U.S. District Court or has been decided in favor of a complainant within the two-year period. The foregoing certification is made on behalf of CSXT by the undersigned after due and careful investigation of the matters herein certified and based on the best of the knowledge, information, and belief of the undersigned.

William Scaggs
William Scaggs

My Commission Expires: 9-11-12


Notary Public

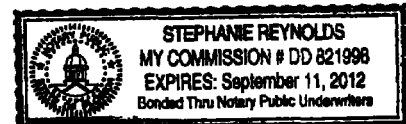
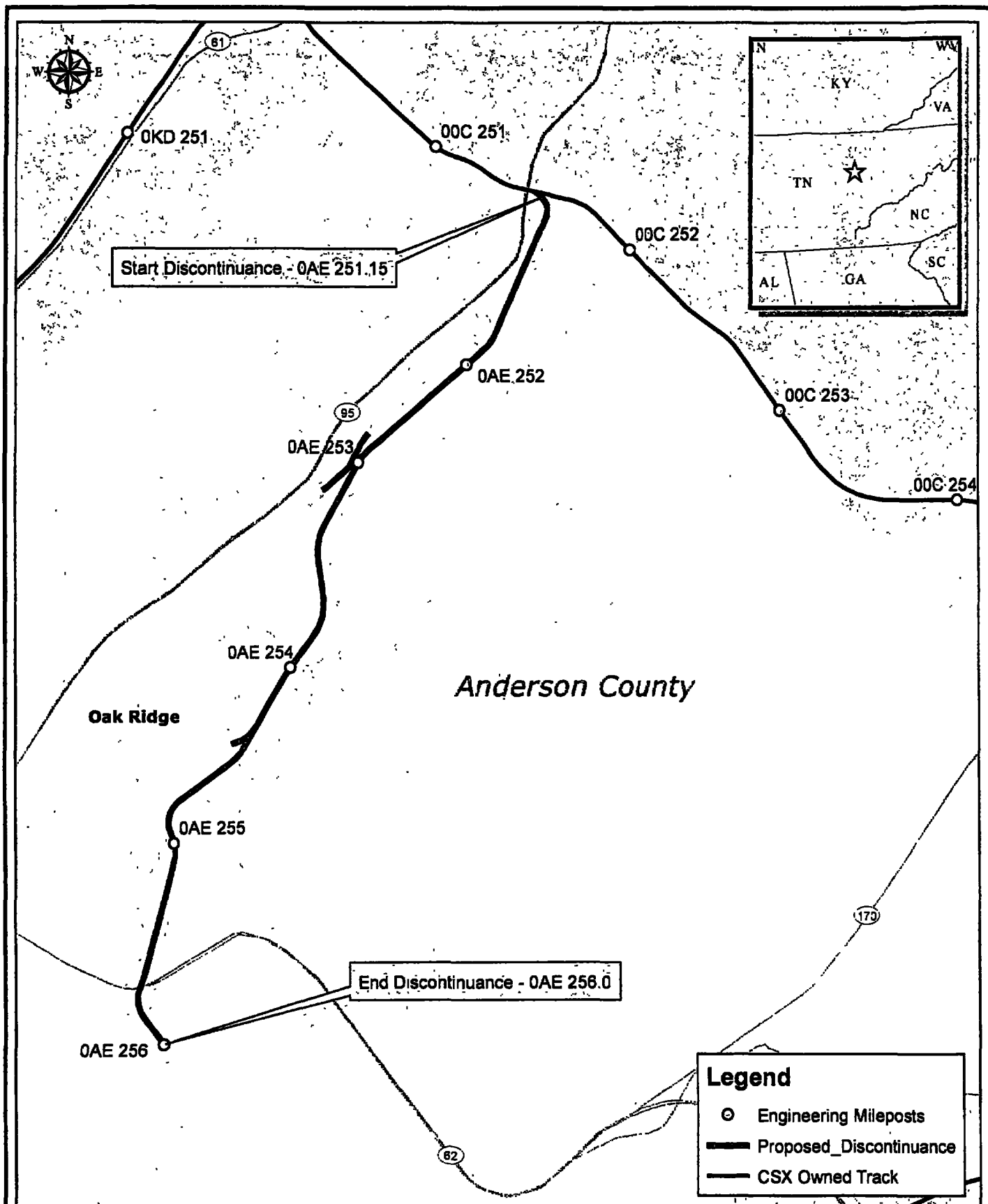


EXHIBIT B-MAP



Creation Date: July 23, 2012
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CSX Transportation, Inc.
Proposed Discontinuance of Service
Oak Ridge, TN

MP OAE 251.15 to OAE 256.0
 Total Distance of approx. 4.85 Miles
 Oak Ridge, Anderson County, TN
 STB Docket No. AB 55 (Sub-No. 722X)

0 0.5
 Miles

CSX Ree Property Inc.
 TN 031 1054312

EXHIBIT C-CERTIFICATES OF SERVICE AND PUBLICATION

Pursuant to 49 C.F.R. § 1152.50 (d) (1), the undersigned hereby certifies that notice of the proposed abandonment in Docket No. AB-55 (Sub-No. 722X) was mailed via first class mail on October 9, 2012, to the following parties:

State Public Service Commission

Office of Freight & Rail
James K. Polk Building, Suite 1800
Nashville, TN 37243

Military Traffic Management Command

Headquarters
Military Surface Deployment and Distribution Command
Transportation Engineering Agency
ATTN: SDTE-SA (Railroads for National Defense)
1 Soldier Way, Building 1900W
Scott AFB, IL 62225

National Park Service

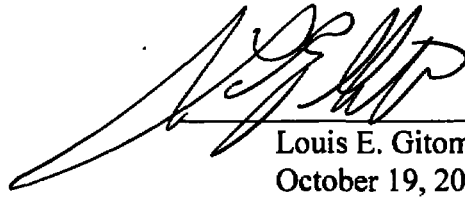
Mr. Rick Potts
Chief, Conservation and Outdoor Recreation Division
Rivers, Trails and Conservation Assistance Program National Park Service
1849 C Street, N.W. (Org Code 2220)
Washington, DC 20240

National Park Service

U.S. Department of Interior
National Park Service
Land Resources Division
1849 C Street, N.W.
Washington, DC 20240

U.S. Department of Agriculture

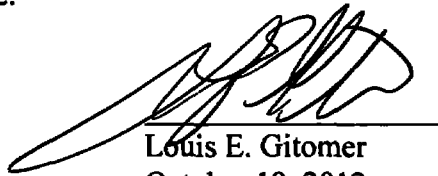
U.S. Department of Agriculture
Chief of the Forest Service
1400 Independence Avenue, S.W.
Washington, DC 20250-0003



Louis E. Gitomer
October 19, 2012

CERTIFICATE OF PUBLICATION

The undersigned hereby certifies that notice of the proposed abandonment in Docket No. AB-55 (Sub-No. 722X) in the following form was advertised on October 16 and 18, 2012 in the Knoxville News Sentinel, a newspaper of general circulation in Anderson County, TN as required by 49 C.F.R. § 1105.7(c) and .12.



Louis E. Gitomer
October 19, 2012

Notice of Intent To Discontinue Service

CSX Transportation, Inc. ("CSXT") gives notice that on or about October 19, 2012, it intends to file with the Surface Transportation Board, Washington, DC 20423, a notice of exemption under 49 CFR 1152 Subpart F—Exempt Abandonments permitting the discontinuance of service over an approximately 4.85-mile rail line on its Southern Region, Huntington Division, KD Subdivision, between milepost 0AE 251.15 at the connection with CSXT's main line and milepost 0AE 256.0 at the end of track, which traverses through United States Postal Service ZIP Code 37830, in Oak Ridge, Anderson County, TN. The proceeding will be docketed as No. AB-55 (Sub-No. 722X).

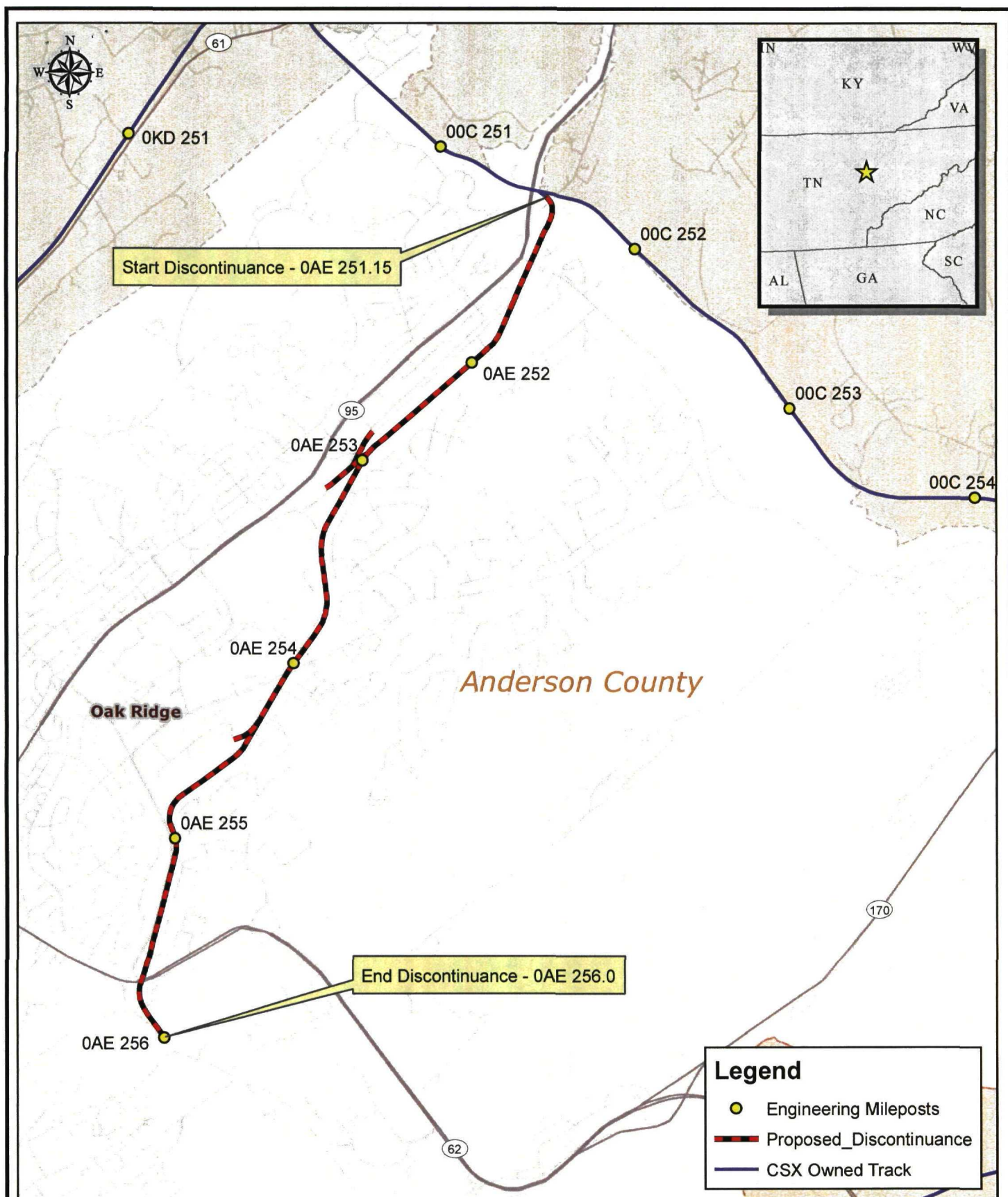
The Board's Office of Environmental Analysis (OEA) will generally prepare an Environmental Assessment (EA), which will normally be available 25 days after the filing of the notice of exemption. Comments on environmental and energy matters should be filed no later than 15 days after the EA becomes available to the public and will be addressed in a Board decision. Interested persons may obtain a copy of the EA or make inquiries regarding environmental matters by writing to the OEA, Surface Transportation Board, Washington, DC 20423 or by calling that office at (202) 245-0295.

Appropriate offers of financial assistance to continue rail service can be filed with the Board. Requests for environmental conditions also can be filed with the Board. An original and 10 copies of any pleading that raises matters other than environmental issues (such as offers of financial assistance) must be filed directly with the Board's Section of Administration, Office of Proceedings, 395 E Street, SW, Washington, DC 20423-0001 [See 49 CFR 1104.1(a) and 1104.3(a)], and one copy must be served on applicant's representative [See 49 CFR 1104.12(a)]. Questions regarding offers of financial assistance may be directed to the Board's Office of Public Assistance, Governmental Affairs, and Compliance at (202) 245-0238. Copies of any comments or requests for conditions should be served on the applicant's representative: Louis E. Gitomer, 600 Baltimore Avenue, Suite 301, Towson, MD 21204, (410)296-2250, Lou@lgrailaw.com.

**EXHIBIT D- ENVIRONMENTAL REPORT
NONE REQUIRED**

**EXHIBIT E– HISTORIC REPORT
NONE REQUIRED**

EXHIBIT F—COLOR EXHIBITS



Creation Date: July 20, 2012
S:\RIS\Projects\NetRat\Oak_Ridge

CSX Transportation, Inc.
Proposed Discontinuance of Service
Oak Ridge, TN

MP 0AE 251.15 to 0AE 256.0
Total Distance of approx. 4.85 Miles
Oak Ridge, Anderson County, TN
STB Docket No. AB 55 (Sub-No. 722X)

0 0.5
Miles

CSX Real Property, Inc.
TN-001-1054312